

DECLARATION FOR PATENT APPLICATION

Docket: D-3026

As a below named inventor, I hereby declare that:

My residence post office address and citizenship are as stated below next to my name.

I believe I am the original first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **MICRO-INVASIVE BREAST BIOPSY DEVICE** the specification of which

(check one) ☒ [X] is attached hereto
☐ [] was filed on _____
 as US Application Serial Number or PCT International Application Number _____
 and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

NONE

Prior Foreign Application(s)

Priority Not Claimed

_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/> []
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/> []

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

<u>60/278,128</u> (Application Number)	<u>MARCH 23, 2001</u> (Filing Date)
<u>60/281,848</u> (Application Number)	<u>APRIL 5, 2001</u> (Filing Date)
<u>60/305,178</u> (Application Number)	<u>July 13, 2001</u> (Filing Date)
<u>60/322,909</u> (Application Number)	<u>SEPTEMBER 17, 2001</u> (Filing Date)
<u>60/342,436</u> (Application Number)	<u>DECEMBER 21, 2001</u> (Filing Date)

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s), or §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application. **NONE**

_____ (Application Number)	_____ (Filing Date)	_____ (Status -patented, pending, abandoned)
_____ (Application Number)	_____ (Filing Date)	_____ (Status -patented, pending, abandoned)

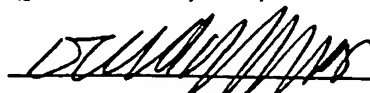
I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Frank J. Uxa, Registration Number 25,612; Donald E. Stout, Reg. No. 34,493; Robert D. Buyan, Reg. No. 32,460; Kenton R. Mullins, Reg. No. 36,331; Jo Anne M. Ybaban, Reg. No. 42,243; Linda Allyson Fox, Reg. No. 38,883; Kyle D. Yesland, Reg. No. 45,526; Quan L. Nguyen, Reg. No. 46,957 and Greg S. Hollrigel, Reg. No. 45,374.

Address all telephone calls to **Frank J. Uxa at telephone number (949) 450-1750**
 Address all correspondence to **Frank J. Uxa**
4 Venture, Suite 300
Irvine, CA 92618

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor (given name, family name) **D. RUSSELL PFLUEGER**

Inventor's signature



Date 3/6/02

Residence

San Juan Capistrano, California
 26911 Windsor Drive

Citizenship: USA

Post Office Address

San Juan Capistrano, CA 92675

RECORDATION FORM COVER SHEET
PATENTS ONLY

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

DevonRex, Inc.

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment ☐ Merger

☐ Security Agreement ☐ Change of Name

☐ Other: _____

Execution Date: October 23, 2002

2. Name and address of receiving party(ies)

Name: STRYKER PUERTO RICO LIMITED

Internal Address:

Street Address: LAS PALMAS INDUSTRIAL PARK
PUERTO RICO 00615

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)

B. Patent No. (s)

10/093,765

10/093,775

10/093,774

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: FRANK J. UXA

Internal Address:

Street Address: 4 VENTURE, SUITE 300
IRVINE, CA 92618

6. Total number of applications and patents involved:

3

7. Total fee (37 CFR 3.41).....\$120.00

X Enclosed

☐ Authorized to be charged to deposit account

8. Deposit account number:

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

FRANK J. UXA

Name of Person Signing

Signature

Date

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on or before

May 27 2003
Jade M. Thee

Total number of pages including cover sheet, attachments and document: 4

PATENT ASSIGNMENT

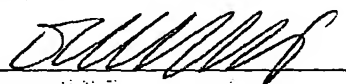
DevonRex, Inc., a California corporation, having a place of business at 8001 Irvine Center Drive, Irvine, CA 92618, in consideration of One Dollar and other valuable consideration paid to it by Stryker Puerto Rico Limited, a corporation organized and existing under the laws of Ireland, having a place of business at Las Palmas Industrial Park, Arroyo, Puerto Rico 00615, the receipt of which is hereby acknowledged, does hereby sell, assign and transfer unto said Stryker Puerto Rico Limited, its successors and assigns, its entire right, title and interest for the United States of America and all foreign countries, including all rights of priority under the International Convention for the Protection of Industrial Property, in the inventions and improvements disclosed in the U.S., foreign, and PCT applications listed in Schedule A attached hereto, and in all Letters Patent of the United States and all foreign countries which have been or shall be granted on said inventions, or any parts thereof, or on said applications, or any divisions, continuations, continuations-in-part, reissues, extensions or other applications based in whole or in part thereon. And DevonRex, Inc. agrees, for itself and its successors and assigns, with said Stryker Puerto Rico Limited and its successors and assigns, but at its or their expense and charges, hereafter to execute all applications, amended specifications, deeds or other instruments, and to do all acts necessary or proper to secure the grant of Letters Patent in the United States and in all other countries to said Stryker Puerto Rico Limited, with specifications and claims in such form as shall be approved by the counsel of said Stryker Puerto Rico Limited and to vest and confirm in said Stryker Puerto Rico Limited, its successors and assigns, the legal title to all such patents and to otherwise give full effect to and perfect the rights of said Stryker Puerto Rico Limited under this Assignment.

And DevonRex, Inc. does hereby authorize and request competent authorities to issue such Letters Patent as shall be granted upon said applications to said Stryker Puerto Rico Limited, its successors and assigns.

WITNESS its hand and seal this 23rd day of October, 2002.

DevonRex, Inc.

By:


Russell Pflueger,
President

State of California

County of _____

Then personally appeared the above-named Russell Pflueger, to me known and known to me to be the person who executed the foregoing instrument, and acknowledged it to be his free act and deed, before me, this 23rd day of October, 2002.

SEE ATTACHED
Notary Public
My Commission Expires:

STATE OF CALIFORNIA)
)
COUNTY OF ORANGE)

On OCTOBER 23, 2002, before me, the undersigned,
a Notary Public in and for said State, personally appeared:

RUSSELL PFILUEGER
Name of Signer(s)

☐ personally known to me - OR - ☐ proved to me on the basis of
satisfactory evidence, to be the
person(s) whose name(s) is/are
subscribed to the within
instrument and acknowledged to
me that he/she/they executed the
same in his/her/their authorized
capacity(ies), and that by
his/her/their signature(s) on the
instrument the person(s), or the
entity upon behalf of which the
person(s) acted, executed the
instrument.

WITNESS my hand and
official seal.

Jayne Freed
Signature of Notary

CAPACITY CLAIMED BY
SIGNER:

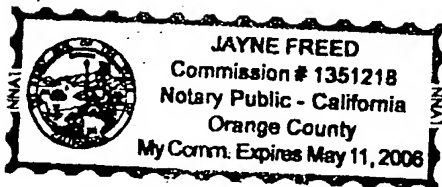
- ☐ Individual(s)
☐ Corporate _____
Officer(s) _____
Title(s) _____
☐ Partner(s)
☐ Attorney-in-Fact
☐ Trustee(s)
☐ Subscribing Witness
☐ Guardian/Conservator
☐ Other: _____

SIGNER IS
REPRESENTING:

Name of person(s) or
entity(ies):

DEVONREX, INC.

PATENT ASSIGNMENT



SCHEDULE A

D-3026 10/093,765, FILED 3/8/02
D-3026PCT PCT/US02/07954

D-3034 10/093/775, FILED 3/8/02
D-3034PCT PCT/US02/07900

D-3039 10/093,774, FILED 3/8/02
D-3039PCT PCT/US02/07899

RECORDATION FORM COVER SHEET
PATENTS ONLY

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

D. RUSSELL PFLUEGER

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment

☐ Merger

☐ Security Agreement

☐ Change of Name

☐ Other: _____

Execution Date: March 6, 2002

2. Name and address of receiving party(ies)

Name: DEVONREX, INC.

Street Address: 26911 Windsor Dr.

San Juan Capistrano, CA 92675

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: March 6, 2002

A. Patent Application No.(s)

B. Patent No. (s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: FRANK J. UXA

Internal Address:

Street Address: 4 VENTURE, SUITE 300

IRVINE, CA 92618

6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 3.41).....\$ 40

☒ Enclosed

☐ Authorized to be charged to deposit account

8. Deposit account number:

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

FRANK J. UXA

Name of Person Signing


Signature

3/8/02

Date

3

Total number of pages including cover sheet, attachments and document:

Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents & Trademarks, Box assignments
Washington, D.C. 20231

WHEN RECORDED, RETURN TO:

Frank J. Uxa
Stout, Uxa, Buyan & Mullins
4 Venture, Suite 300
Irvine, CA 92618

D-3026

ASSIGNMENT

WHEREAS, I, **D. RUSSELL PFLUEGER**, of the County of Orange, State of California, have invented certain new and useful improvements in **MICRO-INVASIVE BREAST BIOPSY DEVICE**, for which said D. Russell Pflueger has this 6 day of MARCH, 2002, executed application papers for United States Letters Patent thereon; and

WHEREAS, **DEVONREX, INC.**, of the State of California, hereinafter called Assignee, having its place of business at 26911 Windsor Drive, San Juan Capistrano, CA 92675, is desirous of acquiring the entire right, title and interest in and to the aforesaid invention and in and to any and all Letters Patent therefor granted in the United States of America, and in any and all countries foreign thereto;

NOW, THEREFORE, TO WHOM IT MAY CONCERN, be it known that, for and in consideration of the sum of ONE DOLLAR (\$1.00) to me in hand paid by Assignee, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, I, **D. Russell Pflueger**, by these presents sell, assign and transfer unto Assignee, its successors and assigns, the full and exclusive right, title and interest for the territory of the United States of America and all countries foreign thereto (including the right to apply for Letters Patent in foreign countries in its own name and to claim any priority rights for such foreign applications to which such applications are entitled under international conventions, treaties, or otherwise), in and to the said invention as described in said application, and in and to all Letters Patent granted therefor, and all divisions, reissues and continuations thereof, and I hereby authorize and request the Commissioner of Patents and Trademarks to issue all Letters Patent on said invention or resulting therefrom to said Assignee, as assignee of the entire right, title and interest, and I covenant that I have full right so to do and agree that I will communicate to said Assignee, or its successors any and all facts known to me regarding said invention whenever requested and will testify in any legal proceeding, sign all lawful papers, execute all divisional, reissue and continuation applications, and generally do

everything possible to aid said Assignee, its successors and assigns, to obtain and enforce proper patent protection for said invention in all countries.

Executed this 6 day of MARCH, 2002.



D. RUSSELL PFLUEGER


STATE OF CALIFORNIA)

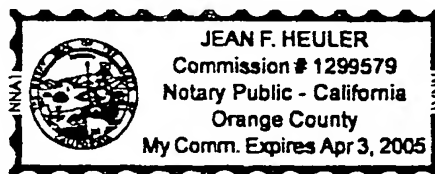
COUNTY OF ORANGE)

On March 6, 2002, before me Jean F. Heuler, Notary Public personally appeared **D. RUSSELL PFLUEGER** personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

Witness my hand and official seal.

Signature





SEAL